

Remarks

Claims 1-42 are pending. Claims 1-34 and 36-42 are rejected. Claim 35 is objected to. Claim 1 is amended herein. Applicants respectfully traverse the rejection and request allowance of claims 1-42.

Claim 1 is objected to because of the informality "responsive the said." Claim 1 is amended herein to remove the informality.

Claims 1, 2, 14-19, 28-34, and 36-42 stand rejected under 35 U.S.C. § 102(e) over U.S. Publication 2003/0097881 (Schlosser et al.). Applicants respectfully traverse the rejection.

The Schlosser patent application is commonly assigned to Micro Motion, Inc., of Boulder, Colorado, the assignee of the present application. The subject matter of the Schlosser publication and the claimed invention of the present application were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person. Therefore, under 35 U.S.C. § 103(c), the Schlosser publication cannot preclude patentability and cannot be used as prior art against the present application. Applicants request removal of the rejection and allowance of claims 1, 2, 14-19, 28-34, and 36-42.

Claims 3-13 and 20-27 stand rejected under 35 U.S.C. § 103(a) over Schlosser. As stated above, Schlosser cannot be used as prior art against the present application due to the common assignee. Applicants request removal of the rejection and allowance of claims 3-13 and 20-27.

Claim 35 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants gratefully acknowledge the indication of allowability.

Applicants submit that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicants respectfully request allowance of claims 1-42.

Please feel free to call me to discuss the patentability of the pending claims.

Date:

9/15/06
SIGNATURE OF PRACTITIONER

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